

CITY COUNCIL AGENDA

OCTOBER 30, 2007

AMENDED AGENDA

PETE CONSTANT
FORREST WILLIAMS
SAM LICCARDO
KANSEN CHU
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

CHUCK REED MAYOR

PIERLUIGI OLIVERIO
MADISON P. NGUYEN
JUDY CHIRCO
NANCY PYLE

DAVID D CORTESE, VICE MAYOR

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- ***Strategic Support Services*** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- ***Community & Economic Development*** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- ***Neighborhood Services*** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- ***Transportation & Aviation Services*** — A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Public Safety Services*** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 9 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak on items that are not on the agenda during Open Forum. If you wish to speak to the City Council, please refer to the following guidelines:

- **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- When the Council reaches your item on the agenda, Mayor Reed will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
- Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
- To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

The San José City Council meets every Tuesday at 1:30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas and Staff Reports for City Council items may be viewed on the Internet at www.sanjoseca.gov/clerk/agenda.asp. Council Meetings are televised live and rebroadcast on Channel 26.

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-1260 or (408) 294-9337 (TTY) at least two business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- **Call to Order and Roll Call**
 - 9:30 a.m. - Closed Session, Call to Order in Council Chambers
Adjourn to Closed Session in Council Chambers Conference Room, W133
[See Separate Agenda](#)
 - 1:30 p.m. - Regular Session, Council Chambers, City Hall
 - 3:30 p.m. - Hear Open Forum and continue the RDA Board Meeting
(no earlier than 3:30 p.m.)
- **Invocation (District 9)**
 - * Lauren Gripenstraw, Leigh High School
- **Pledge of Allegiance**
- **Orders of the Day**

Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.

ITEMS 9.1 AND 9.2 ARE TO BE CONSIDERED IN A JOINT CITY COUNCIL/ REDEVELOPMENT AGENCY BOARD SESSION.

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

- **Closed Session Report**

1. CEREMONIAL ITEMS

- 1.1 Presentation of a commendation to the San José Giants organization for winning the California League Championship and for their continued commitment to the community.
(Mayor/Cortese/Nguyen)
(Deferred from 10/16/07 – Item 1.4)

1. CEREMONIAL ITEMS

- 1.2 Presentation of a commendation to the Fairmont Hotel for 20 years of extraordinary service to the City of San José. (Mayor/Cortese/Liccardo)
(Deferred from 10/16/07 – Item 1.5)
- 1.3 Presentation of a commendation to the General Services Fleet Audit Team for its exemplary dedication and valuable contributions to the City organization. (City Manager's Office/Mayor)
- 1.4 Presentation of a commendation to the Santa Clara University Solar Decathlon Team for placing third in the international Solar Decathlon, creating a livable green home and exemplifying the creativity that will spur the next wave of Clean Tech innovation in our region. (Mayor/Chirco/Cortese)
- * (Rules Committee referral 10/24/07)

2. CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

2.1 Approval of Minutes.

Recommendation: Approval of Minutes.

- (a) Regular Minutes of August 21, 2007
 - (b) Joint City Council/Redevelopment Agency/County Board of Supervisors Minutes of August 23, 2007
 - (c) Regular Minutes of August 28, 2007
 - (d) [Regular Minutes of August 14, 2007](#)
- * [Deferred from 10/23/07 – Item 2.1(b)]

2.2 Final adoption of ordinances.

* **Recommendation:** Final adoption of ordinances.

- (a) ORD. NO. 28146 – Rezoning certain real property situated at the south side of Blossom Hill Road, approximately 70 feet westerly of Hoffman Court (1250 Blossom Hill Road) to R-M Multiple Residence Zoning District. C07-027
- (b) ORD. NO. 28147 – Rezoning certain real property situated at the north side of Bark Lane approximately 150 feet west of Weyburn Lane (7201 Bark Lane) to A(PD) Planned Development Zoning District. PDC06-005

(Item continued on the next page)

2. CONSENT CALENDAR

2.2 Final adoption of ordinances. (Cont'd.)

Recommendation:

- (c) ORD. NO. 28148 – Rezoning certain real property situated at the east side of South Third Street approximately 500 feet north of Keyes Street (1010 South Third Street) to A(PD) Planned Development Zoning District. PDC07-002
- (d) ORD. NO. 28150 – Rezoning certain real property situated on the southwest corner of Zanker Road and Devcon Drive (1821 Zanker Road) to IP Industrial Park Zoning District. C07-062
- (e) ORD. NO. 28151 – Rezoning certain real property situated at the northwest corner of North First Street and Vista Montana to A(PD) Planned Development Zoning District. PDC07-054
- (f) ORD. NO. 28152 – Rezoning certain real property situated at the northwesterly corner of West Tasman Drive and Vista Montana to A(PD) Planned Development Zoning District. PDC07-055
- (g) ORD. NO. 28154 – Approving a development agreement between the City of San José and Novellus Systems, Inc. relative to the development of certain property located within the City of San José, California.
- (h) ORD. NO. 28155 – Rezoning certain real property situated in the area generally bound by Blossom Hill Road on the north, Gallup Drive to the west, Mesa Drive to the south, and Almaden Expressway to the east (1110, 1150 and 1156 Blossom Hill Road) to CG Commercial General Zoning District. C07-069

2.3 Approval of actions related to the Master Plan for the Lower Silver Creek Trail.

Recommendation: Approval of the Lower Silver Creek Trail Master Plan and adoption of a resolution incorporating the environmental mitigation measures as set forth in the Mitigation Monitoring and Reporting Program for the project. CEQA: Mitigated Negative Declaration, File No. PP07-106. Council Districts 3, 5 and 8. SNI: Five Wounds/Brookwood Terrace, Mayfair, East Valley, 680 Communities, Gateway East. (Parks, Recreation and Neighborhood Services)
(Deferred from 10/23/07 – Item 2.12)

* **RECOMMEND DEFERRAL TO 11/20/07 PER ADMINISTRATION**

2.4 Acceptance of the Office of the City Auditor's Report.

Recommendation: Acceptance of the Office of the City Auditor's *Report of Activities for the Period August 16 Through September 15, 2007*. (City Auditor)

2. CONSENT CALENDAR

2.5 Acceptance of the findings report relating to the Bay 101 Conditional Approval of Stock Transfer.

Recommendation: Acceptance of the findings report from Kafoury, Armstrong & Company, LLP relating to the Bay 101 Conditional Approval of Stock Transfer, quarter ending June 30, 2007. (City Auditor)

2.6 Approval of actions related to the Revolving Loan Fund.

Recommendation: Adoption of a resolution certifying that:

- (a) The City of San José's Revolving Loan Fund (RLF) Plan is consistent with and supportive of the area's current economic adjustment strategy; and
- (b) The RLF is being operated in accordance with the policies and procedures contained in the RLF plan, and the loan portfolio meets the standards contained therein.

CEQA: Not a Project. (Economic Development)

2.7 Approval of actions related to Cirque du Soleil.

* **Recommendation:**

- (a) Approval of a lease agreement with Cirque du Soleil for the purpose of leasing portions of the City's "E" Parking Lot (Taylor/San Pedro/Mission) to Cirque du Soleil from December 24, 2007 to March 28, 2008 to allow Cirque du Soleil to present to the public its touring show, for rental consideration to the City of \$90,000.
- (b) Direction to staff to facilitate the permitting process required to authorize use of the "E" Parking Lot for Cirque du Soleil's touring show, which will include community outreach and City employee and public parking plans, and that the City hold a public hearing to consider amendment of the current Conditional Use Permit for this site.
- (c) Adoption of the following Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:
 - (1) Establish a City-wide appropriation to the Office of Economic Development for Cirque du Soleil in the amount of \$90,000;
 - (2) Increase the estimate for Other Revenue by \$90,000.

CEQA: Exempt, File No. CPA05-015-01. Council District 3. (Economic Development/City Manager's Office)

2.8 Approval of open purchase order #3 FY 2007-2008 for supplies, materials, equipment and services.

Recommendation: Approval of award of open purchase orders for supplies, materials, equipment and services for FY 2007-2008 #3 and authorization for the Director of Finance to execute the purchase orders. CEQA: See Administration's memo to Council for specific CEQA clearance determinations on each recommended action. (Finance)

2. CONSENT CALENDAR

2.9 Report on Request for Proposal and approval of actions related to Large Format Blueprint Printing Services.

Recommendation: Report on Request for Proposal for Large Format Blueprint Printing and authorize the Director of Finance to:

- (a) Execute one-year open purchase orders with:
 - (1) Peninsula Digital Imaging as the low bidder in the amount of \$173,000 to be used as the primary supplier; and
 - (2) San José Blue as the second low bidder in the amount of \$173,000 to be used as the secondary supplier.
- (b) Adjust amounts of purchase orders among the two vendors to ensure service within the first year for a cumulative total not to exceed \$346,000.
- (c) Amend the initial purchase orders to ensure services, as required, subject to annual appropriations.
- (d) Execute four one-year options to renew purchase orders subject to Consumer Price Index adjustments and annual appropriations.

CEQA: Not a Project. (Finance)

2.10 Approval to amend an agreement for architectural consultant services for the Edenvale Branch Library Project.

- * **Recommendation:** Approval of the first amendment to the agreement for architectural consultant services with CWA AIA, Inc. for the Edenvale Branch Library Project extending the term of the agreement from October 31, 2007 to April 30, 2008 at no additional cost to the City. CEQA: Exempt, File No. PP05-011. Council District 2. (Public Works/Library)

2.11 Request for an excused absence for Councilmember Nguyen.

Recommendation: Request for an excused absence for Councilmember Nguyen from the Regular City Council Meeting (including Closed and Evening Sessions) on October 16, 2007 due to illness. (Nguyen)
(Rules Committee referral 10/17/07)

3. STRATEGIC SUPPORT SERVICES

3.1 **Report of the Rules and Open Government Committee – October 10, 2007** **Mayor Reed, Chair**

- (a) City Council
 - (1) Review October 16, 2007 City Council Agenda
 - (2) Review October 23, 2007 Draft City Council Agenda
- (b) Redevelopment Agency items reported out at Redevelopment Agency meeting
(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the Rules and Open Government Committee – October 10, 2007 (Cont'd.)

Mayor Reed, Chair

- (c) Legislative Update
 - (1) State
 - (2) Federal
- (d) Meeting Schedules
 - (1) Approve setting a Study session on the expansion of the City of San José's Inclusionary Housing Policy on December 11, 2007 from 6:00 p.m. – 8:00 p.m. (City Manager's Office)
- (e) The Public Record
- (f) Appointments to Boards, Commissions and Committees
- (g) Rules Committee Reviews, Recommendations and Approvals
- (h) Review of Additions to Council Committee Agendas
- (i) Open Government Initiatives
- (j) Open Forum
- (k) Adjournment

3.2 Report of the Public Safety, Finance and Strategic Support Committee – October 18, 2007

Councilmember Nguyen, Chair

- * (a) Staff Progress Report on Council Direction to Develop Objective Criteria and/or New Definitions for the Citizen Complaint Process. (City Manager's Office/ Police/IPA)
 - (b) Monthly Financial Report for July/August 2007. (Budget)
 - (c) Redevelopment Agency Monthly Financial Reports. (Redevelopment Agency)
 - (1) Financial Statements
 - (2) Capital Cost Report
 - (3) Cash Flow Projections
 - (d) Assessing Performance: An Analytical Framework for the San José McEnery Convention Center. (Auditor)
 - (e) Audit Recommendation Follow-up: The San José Police Department's Staffing and Deployment. (Auditor)
- Deferred from September**
- * **SEE ITEM 8.1 FOR COUNCIL ACTION TO BE TAKEN**
 - (f) Public Safety Quarterly Report. (Police/Fire)
 - (1) Police
 - (2) Fire

Recommend Deferral to November
 - (g) FY 06-07 Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ended June 30, 2007. (Finance/ Redevelopment Agency)
 - (1) City
 - (2) Redevelopment Agency

Recommend Deferral to November

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.2 Report of the Public Safety, Finance and Strategic Support Committee – October 18, 2007 (Cont'd.)

- (h) FY 06-07 Comprehensive Annual Debt Report. (Finance)
- (i) Report on the 2007 California Building Standards Adopting Ordinance. (Planning, Building and Code Enforcement/Fire)
 - (1) California Building Standards Code
 - * **TO BE HEARD BY COUNCIL 11/6/07**
 - (2) California Fire Code
 - * **TO BE HEARD BY COUNCIL 11/6/07**
- (j) Review of Relevant Legislative Guiding Principles for 2008. (City Manager's Office)
- (k) Oral Petitions
- (l) Adjournment

3.3 Approval of actions related to the use of the City Hall and Employee Garage Retail Spaces.

Supplemental

* **Recommendation:**

- (a) Approval of the conversion of the Fourth and St. John (Employee) garage retail space to municipal use for the Transportation Incident Management Center and a technology training center.
- (b) Adoption of the following 2007-2008 Appropriation Ordinance amendments in the General Fund:
 - (1) Eliminate the Reserve for City Hall Build-out of \$175,000; and
 - (2) Establish an appropriation for Employee Garage Build-Out in the amount of \$175,000.
- (c) Adoption of the following 2007-2008 Appropriation Ordinance amendments in the Convention and Cultural Affairs Fund:
 - (1) Establish an appropriation for Office of Cultural Affairs Improvements in the amount of \$380,000; and
 - (2) Reduce the Ending Fund Balance by \$380,000.
- (d) Acceptance of staff proposals regarding next steps for City Hall Retail Space and temporary uses of City Hall Retail Space.

CEQA: Resolution Nos. 68905 and 72230. Council District 3. (General Services/Economic Development/City Manager's Office)
(Deferred from 10/16/07 – Item 3.7)

3.4 Public Hearing and action related to Waste Management, Inc. and its affiliates.

Recommendation: Take the following actions, regarding Waste Management, Inc. and its affiliates relating to the Kirby Canyon Landfill and Guadalupe Rubbish Disposal Co., both located in San José, and other projects located elsewhere in the state:

- (a) Conduct a Tax Equity and Fiscal Responsibility Act ("TEFRA") Hearing for the issuance of \$225,000,000 of tax-exempt solid waste disposal facility revenue bonds by California Municipal Finance Authority ("CMFA").

3. STRATEGIC SUPPORT SERVICES

3.4 Public Hearing and action related to Waste Management, Inc. and its affiliates. (Cont'd.)

Recommendation:

- (b) Adoption of a resolution approving the issuance of Tax-Exempt Revenue Bonds by the CMFA in an aggregate principal amount not to exceed \$225,000,000 to be used to (1) equip and construct certain solid waste disposal facilities, including an amount not expected to exceed \$23,470,000 on facilities located in the City of San José; and (2) pay certain expenses incurred in connection with the issuance of the bonds.

CEQA: Not a Project. Council Districts 2 and 10. (Finance)

3.5 Verbal Update of Legislative Priorities by Senator Elaine Alquist.

Recommendation: Receive verbal update of legislative priorities. (Mayor)
(Rules Committee referral 10/17/07)

*

TO BE HEARD AT 3:30 P.M.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Report of the Community & Economic Development Committee Councilmember Pyle, Chair

4.2 [Approval of actions related to the Logitech Ice at San José.](#)

[Supplemental](#)

Recommendation:

- (a) Adoption of a resolution approving the construction of additional improvements at Logitech Ice at San José at no cost to the City.
- (b) Adoption of a resolution approving the name change of the ice facility from Logitech Ice at San José to “Sharks Ice at San José.”

CEQA: Exempt, File No. PP07-210. (Economic Development)

5. NEIGHBORHOOD SERVICES

5.1 Report of the Neighborhood Services and Education Committee – [October 11, 2007](#) Councilmember Chirco, Chair

- (a) Report on the 2007 Summer Aquatics. (PRNS)
- (b) San José Education Foundation Update on Homework Center Program. (PRNS)
- (c) Evaluation of Second Unit Pilot Program. (PBCE/Housing)

Deferred from August 2007

HEARD BY COUNCIL 10/16/07

- (d) Approval of Proposed Grants Policy and a Proposed Emergency Grants Policy and Procedure. (CMO)

Deferred from September 2007

* **SEE ITEM 5.2 FOR COUNCIL ACTION TO BE TAKEN**

- (e) Strong Neighborhoods Monthly Update. (CMO)
 - (1) Renewing the Action Agenda Update.
 - (2) Richmond-Menker Neighborhood Assessment.
- (f) Schools/City Collaborative Monthly Update. (CMO/Neighborhood Services CSA)
- (g) Review of Relevant Legislative Guiding Principles for 2008. (CMO)
- (h) Oral Petitions
- (i) Adjournment

* (Deferred from 10/23/07 – Item 5.1)

5.2 [Approval of the Proposed Grants Policy and the Proposed Emergency Grants Policy and Procedure.](#)

Recommendation:

- (a) Adoption of a resolution approving a new Council policy on Grants to Outside Entities.
- (b) Adoption of a resolution approving a new Council policy on Emergency Financial Assistance to Non-Profit Organizations.
- (c) Direct staff to incorporate the following requirement related to web posting of financial information to the City's standard terms and conditions for grant agreements and operating subsidy agreements:
 - (1) For organizations receiving cumulative City grant or operating subsidy funding greater than \$200,000 in a fiscal year, the organization shall post their most recent yearly audited financial statement on their organization's web site and not later than 30 days after receipt of the audited financial statement.

CEQA: Not a Project. (City Manager's Office)

[Neighborhood Services and Education Committee referral 10/11/07 – Item (d)]

* (Deferred from 10/23/07 – Item 5.4)

6. TRANSPORTATION & AVIATION SERVICES

6.1 Report of the Transportation and Environment Committee Councilmember Williams, Chair

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 Clean Air Vehicle Program – Zero Emissions.

Recommendation: As recommended by the Rules and Open Government Committee on September 19, 2007:

- (a) Direct staff to expand the Clean Air Vehicle Program to include all zero emission vehicles registered in the City of San José. (Constant)
- (b) Accept the staff report on the workload assessment of making Zero Emissions Vehicles (ZEV) registered in the City of San José eligible to participate in the Clean Air Vehicle Parking Validation Program allowing free parking at specified City parking facilities and parking meters. CEQA: Not a Project.
(Transportation)

[Rules and Open Government Committee referral 9/19/07 – Item (G)(1)]
(Deferred from 10/16/07 – Item 7.1)

* **TO BE HEARD IMMEDIATELY FOLLOWING ITEM 9.1**

7.2 Approval of actions related to Zero Waste Goals.

Recommendation:

- (a) Adoption of a resolution establishing a goal of 75% waste diversion by 2013, and a goal of Zero Waste by 2022;
- (b) Direct staff to complete waste characterization studies and return to the Transportation and Environment Committee with those results by August 2008 and;
- (c) Direct staff to return by the end of 2008 for Council consideration of an Integrated Waste Management Master Plan to achieve zero waste goals.

CEQA: Not a Project. (Environmental Services)

[Transportation and Environment Committee referral 10/1/07 – Item (b)]
(Deferred from 10/23/07 – Item 7.1)

* **TO BE HEARD IMMEDIATELY FOLLOWING ITEM 9.1**

7.3 Approval of actions related to the Urban Environmental Accords.

Recommendation:

- (a) Adoption of a goal for San José to achieve Global Sustainable City status through implementing 19 to 21 Actions that make up the Urban Environmental Accords covering energy/climate change, waste reduction, urban design, urban nature, transportation, environmental health and water.

(Item continued on the next page)

7. ENVIRONMENTAL & UTILITY SERVICES

7.3 Approval of actions related to the Urban Environmental Accords. (Cont'd.)

Recommendation:

(b) Approval of the table describing a 5-year implementation workplan with specific tasks and activities, with the following specific actions being brought forward for Council consideration in Fiscal Year 2007/2008:

- (1) A “zero waste” goal,
- (2) A water conservation plan,
- (3) Greenhouse gas emission reduction goals, and
- (4) The Las Plumas Master Plan.

CEQA: Not a Project. (Environmental Services)

* **TO BE HEARD IMMEDIATELY FOLLOWING ITEM 9.1**

8. PUBLIC SAFETY SERVICES

8.1 [Acceptance of the San José Police Department’s response to the City Auditor’s report entitled “Audit Recommendation Follow-Up: The SJPD’s Staffing and Deployment.”](#)

Recommendation:

- (a) Approval to continue use of the police staffing software known as Staff Wizard;
- (b) Approval to close out the remaining recommendation resulting from the audit of the SJPD’s Bureau of Field Operations Patrol Division’s Staffing and Deployment (2000 Audit); and
- (c) Reaffirmation of the City Council’s previous acceptance of SJPD’s Five-Year Staffing Plan: 2007-2012.

CEQA: Not a Project. (Police)

* [Public Safety, Finance and Strategic Support Committee referral 10/18/07 – Item (5)]

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

CONVENE REDEVELOPMENT AGENCY BOARD TO CONSIDER ITEMS 9.1 AND 9.2 IN A JOINT SESSION

9.1 Approval of actions related to the Mayor's Green Vision.

* **Recommendation:** As recommended by the Rules and Open Government Committee on October 17, 2007:

- (a) Adopt the following ten goals identified in the Green Vision:
 - (1) Within 15 years, the San José community will strive to:
 - (a) Create 25,000 CleanTech jobs as the World Center of CleanTech Innovation.
 - (b) Reduce per capita energy use by 50 percent.
 - (c) Get 100 percent of electrical power from clean renewable sources.
 - (d) Build or retrofit 50 million square feet of green buildings.
 - (e) Divert 100 percent of the waste from our landfill and convert waste to energy.
 - (f) Recycle or beneficially reuse 100% of our wastewater (100 million gallons per day).
 - (g) Adopt a General Plan with measurable standards for sustainable development.
 - (h) Ensure that 100 percent of public fleet vehicles run on alternative fuels.
 - (i) Plant 100,000 new trees and replace 100 percent of streetlights with smart, zero-emission lighting.
 - (j) Create 100 miles of interconnected trails.
 - (b) Direct staff to work through council committees to develop implementation strategies for each of the three elements in the document (CleanTech, Sustainability, and Green Mobility) for the reasons set forth in the Green Vision.

(Mayor)

(Rules Committee referral 10/17/07)

TO BE HEARD IMMEDIATELY FOLLOWING THE CONSENT CALENDAR

9.2 Approval of actions related to the HomeVenture Fund.

Recommendation:

- (a) Adoption of a resolution:
 - (1) Approving the seventh amendment to the agreement between the Housing Department and NHSSV for the HomeVenture Fund, to allow NHSSV to retain \$1.3 million from the HomeVenture Fund to be used for accrued administrative costs.

(Item continued on the next page)

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

9.2 Approval of actions related to the HomeVenture Fund. (Cont'd.)

Recommendation:

- (2) Approving the first amendment to the Housing Trust Fund agreement between the Housing Department and NHSSV for an additional \$250,000 administrative support for the First Time Homebuyers Program to provide first time homebuyer services and provide a volunteer paint program within SNI areas (funds to be transferred to the Housing Department from the Redevelopment Agency by a Project Services Memorandum (PSM); and,
- (3) Authorizing the Director of Housing to negotiate and execute an amendment to the HomeVenture grant agreement, the amendment to the Housing Trust Fund Grant agreement, and related documents.
- (b) Adoption of a resolution by the Agency Board approving the use of \$250,000 of Agency funds for the administrative support of NHSSV's First Time Homebuyers Program and volunteer paint program.

CEQA: Not a Project. (City Manager's Office/Redevelopment Agency)

- Notice of City Engineer's Pending Decision on Final Maps
- Notice of City Engineer's Award of Construction Projects
- Open Forum (To be heard no earlier than 3:30 p.m.)
- Adjournment

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D.)

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.